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HOUSE BILL 391

47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

INTRODUCED BY

Jim R. Trujillo

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

AN ACT

RELATING TO HEALTH INSURANCE; REQUIRING STANDARD COPAYMENTS ON
PRESCRIPTION DRUG PURCHASES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 13, Article 7 NMSA
1978 is enacted to read:

"~~[NEW MATERIAL]~~ PRESCRIPTION DRUG COVERAGE--COPAYMENTS. --
Health care coverage, including any form of self-insurance,
offered, issued or renewed under the Health Care Purchasing Act
on or after July 1, 2005 that offers prescription drug coverage
with copayments by the insured shall require that copayments be
the same for any prescribed drug, in the same quantity and for
the same duration, whether the prescription is dispensed by a
retail pharmacy, by mail order or by any other means."

Section 2. A new section of Chapter 59A, Article 22 NMSA

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1 1978 is enacted to read:

2 "[NEW MATERIAL] PRESCRIPTION DRUG COVERAGE--COPAYMENTS. --

3 An individual or group hospital or medical expense insurance
4 policy offered, issued or renewed in New Mexico on or after
5 July 1, 2005 that offers prescription drug coverage with
6 copayments by the insured shall require that copayments be the
7 same for any prescribed drug, in the same quantity and for the
8 same duration, whether the prescription is dispensed by a
9 retail pharmacy, by mail order or by any other means. "

10 Section 3. A new section of Chapter 59A, Article 23 NMSA
11 1978 is enacted to read:

12 "[NEW MATERIAL] PRESCRIPTION DRUG COVERAGE--COPAYMENTS. --A

13 group health insurance policy offered, issued or renewed in New
14 Mexico on or after July 1, 2005 that offers prescription drug
15 coverage with copayments by the insured shall require that
16 copayments be the same for any prescribed drug, in the same
17 quantity and for the same duration, whether the prescription is
18 dispensed by a retail pharmacy, by mail order or by any other
19 means. "

20 Section 4. A new section of Chapter 59A, Article 46 NMSA
21 1978 is enacted to read:

22 "[NEW MATERIAL] PRESCRIPTION DRUG COVERAGE--COPAYMENTS. --

23 An individual or group health maintenance organization contract
24 offered, issued or renewed in New Mexico on or after July 1,
25 2005 that offers prescription drug coverage with copayments by

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1 the enrollee shall require that copayments be the same for any
2 prescribed drug, in the same quantity and for the same
3 duration, whether the prescription is dispensed by a retail
4 pharmacy, by mail order or by any other means. "

5 Section 5. A new section of Chapter 59A, Article 47 NMSA
6 1978 is enacted to read:

7 "[NEW MATERIAL] PRESCRIPTION DRUG COVERAGE--COPAYMENTS. --

8 An individual or group subscriber contract offered, issued or
9 renewed in New Mexico on or after July 1, 2005 that offers
10 prescription drug coverage with copayments by the subscriber
11 shall require that copayments be the same for any prescribed
12 drug, in the same quantity and for the same duration, whether
13 the prescription is dispensed by a retail pharmacy, by mail
14 order or by any other means. "

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